

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SCIELE PHARMA, INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. NO. 09-037 (RBK) (JS)
)	
LUPIN LTD., et al.,)	(CONSOLIDATED)
)	
Defendants.)	
SHIONOGI INC., et al.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. NO. 10-135 (RBK) (JS)
)	
MYLAN INC., et al.,)	
)	
Defendants.)	
)	

NOTICE OF APPEAL BY LUPIN DEFENDANTS

PLEASE TAKE NOTICE that defendants Lupin, Ltd. and Lupin Pharmaceuticals, Inc., hereby appeal to the United States Court of Appeals for the Federal Circuit from the Court's Memorandum Opinion and Order of December 6, 2011 [D.I. 279 & 280] granting the motion of Shionogi Pharma Inc. for a preliminary injunction.

[SIGNATURES FOLLOW]

December 9, 2011

BAYARD P.A.

OF COUNSEL:

Douglass C. Hochstetler
Kelley Drye & Warren LLP
333 West Wacker Drive, 26th Floor
Chicago, IL 60606
(312) 258-2629
dhochstetler@kelleydrye.com

Beth D. Jacob
Kelley Drye & Warren LLP
101 Park Avenue
New York, NY 10178
(212) 808-7624
bjacob@kelleydrye.com

Karen A. Confoy
Erica S. Helms
Sterns & Weinroth
50 W. State Street, Ste 1400
P.O. Box 1298
Trenton, NJ 08607-1298

/s/ Richard D. Kirk (rk0922)
Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
222 Delaware Avenue, 9th Floor
P.O. Box 25130
Wilmington, DE 19899-5130
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com

*Attorneys for defendants,
Lupin Ltd. and Lupin Pharmaceuticals, Inc.*